

128583

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the Supporting Statement, and any additional documentation to: **Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.**

PSIA-98-4957-49

NOV -4 PM 2:00

1. Agency/Subagency originating request U.S. DOT RSPA		2. OMB control number a2137-0522		b. <input type="checkbox"/> None	
3. Type of information collection (check one) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input checked="" type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change , of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change , of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions		4. Type of review requested (check one) a. <input checked="" type="checkbox"/> Regular b. <input type="checkbox"/> Emergency - Approval requested by: ____/____/____ c. <input type="checkbox"/> Delegated		5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
7. Title Incident and Annual Report for Gas Pipeline Operators		6. Requested expiration date a. <input checked="" type="checkbox"/> Three years from the approval date b. <input type="checkbox"/> Other: ____/____/____			
8. Agency form number(s) (if applicable) 7100.1, 7100.2, 7100.1-1, 7100.2-1					
9. Keywords Pipelines, Safety Recordkeeping					
10. Abstract Gas transmission and distribution pipeline operators must report pipeline accidents and annual reports of their pipeline operations.					
11. Affected public (Mark primary with "P" and all others with "X") a. <input type="checkbox"/> Individuals or households b. <input checked="" type="checkbox"/> Business or other for-profit c. <input type="checkbox"/> Not-for-profit institutions d. <input type="checkbox"/> Farms e. <input type="checkbox"/> Federal Government f. <input type="checkbox"/> State, Local, or Tribal Government			12. Obligation to respond (Mark primary with "P" and all others that apply with "X") a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input checked="" type="checkbox"/> Mandatory		
13. Annual reporting and recordkeeping hour burden a. Number of respondents 2100 b. Total annual responses 3960 1. Percentage of these responses collected electronically 0 % c. Total annual hours requested 6725 d. Current OMB inventory 6717 e. Difference 8 f. Explanation of difference 1. Program change 2. Adjustment 8			14. Annual reporting and recordkeeping cost burden (in thousands of dollars) a. Total annualized capital/startup costs 0 b. Total annual costs (O&M) c. Total annualized cost requested d. Current OMB inventory e. Difference f. Explanation of difference 1. Program change 2. Adjustment		
15. Purpose of information collection (Mark primary with "P" and all others that apply with "X") a. <input type="checkbox"/> Application for benefits b. <input type="checkbox"/> Program evaluation c. <input type="checkbox"/> General purpose statistics d. <input type="checkbox"/> Audit e. <input type="checkbox"/> Program planning or management f. <input type="checkbox"/> Research g. <input checked="" type="checkbox"/> Regulatory or compliance			16. Frequency of recordkeeping or reporting (check all that apply) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input checked="" type="checkbox"/> Reporting: 1. <input checked="" type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annual y 6. <input checked="" type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe)		
17. Statistical methods Does this information collection employ statistical methods? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			18. Agency contact (person who can best answer questions regarding the content of this submission) Name: Mr. Marvin Fell 202 366 6205 Phone:		

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9.

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It uses plain, coherent, and unambiguous language that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention periods for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8 (b)(3) about:
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, or mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of the instructions);
- (i) It uses effective and efficient statistical survey methodology (if applicable); and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of these provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Marvin Felt

Date

4/16/08

SUPPORTING STATEMENT FOR
INCIDENT AND ANNUAL REPORTS FOR GAS PIPELINE OPERATORS
(2137-0522)

Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

Every year, people are killed or injured and millions of dollars worth of property damage occur as a result of "incidents" (as defined in 49 CFR § 191.3). The primary causes of these incidents are corrosion, excavation damage, construction defects, material defects, and damage by earth movement.

Section 191.5 requires each gas pipeline operator give telephonic notice of an incident at the earliest practicable moment following discovery. Telephonic notification enables the Office of Pipeline Safety Enforcement Division to send investigative personnel to the scene of the incident to determine any noncompliance with pipeline safety regulations. Telephonic notification also allows the enforcement division to initiate corrective measures to prevent further damage to the pipeline or to the environment, and to prevent further personal injuries or loss of life.

Sections 191.9, 191.13, and 191.15 require a gas pipeline operator to submit Department of Transportation Form RSPA F 7100.1 (Incident Report-Gas Distribution System) or Form RSPA F 7100.2 (Incident Report-Gas Transmission and Gathering Systems) as soon as practicable but not more than 30 days after detection of an incident. These reports are necessary to determine if an operator has acted or is acting in compliance with the Pipeline Safety Act of 1992 (the Act), to update the Hazardous Materials Information System (HMIS) computer data bank, and to identify and evaluate existing and potential pipeline safety problems. In addition, this collection of information is essential for the preparation of a fact sheet on the incident for queries from the Congress, and to supply information for the Federal Energy Regulatory Commission, as required by their regulation, 18 CFR § 260.9.

Sections 191.11, 191.13, and 191.17 require a gas pipeline operator to annually submit Department of Transportation Form RSPA F 7100.1-1 (Annual Report for Calendar Year 19__ -Gas Distribution System) or Form RSPA F 7100.2-1 (Annual Report for Calendar Year 19__ - Gas Transmission and Gathering Systems). This collection of information is necessary to prepare the annual report to the Congress mandated by Section 16 of the Act.

Section 60102 of the Pipeline Safety Act of 1992 requires each person who engages in the transportation of gas, or who owns or operates pipeline facilities, to establish and maintain records, make reports, and provide such information as the Secretary may reasonably require to determine whether such person has acted or is acting in compliance with the Act and the standards established under the Act. Section 60124 of the Act requires the Secretary of Transportation prepare and submit to the Congress an annual report on the administration of the Act. This annual report to the Congress must include a compilation of leak repairs, pipeline accidents and casualties.

2. Indicate how, by whom, and for what purpose the information is to be used.

The Research and Special Programs Administration (RSPA) uses the information obtained from telephonic and incident reports (forms RSPA F 7100.1 and RSPA F 7100.2) to identify significant failures which may require investigation by the Office of Pipeline Safety Enforcement Division or a State agency pursuant to a certification under section 5(a). The information is also used to prepare a fact sheet on the incident for queries from the Congress, to prepare the annual report to the Congress mandated by Section 60124 of the Act, to update the HMIS computer data bank, and to supply information to the Federal Energy Regulatory Commission, as required by their regulation, 18 CFR § 260.9.

RSPA uses the information obtained from an operator's annual report (forms RSPA F 7100.1-1 and RSPA F 7100.2-1) to:

- a. Identify and evaluate existing and potential pipeline safety problems;
- b. Develop statistical reports and studies for the Congress and numerous other requesters;
- c. Develop data on pipeline safety matters for industry;

- d. Develop cost benefit analyses as they apply to pipeline safety regulation matters.

If the above collection of information were not conducted:

- a. Immediate response and timely investigation of an incident by the Office of Pipeline Safety Enforcement Division or a State agency pursuant to a certification under section 5(a) would not be possible;
- b. Immediate initiation of corrective measures to prevent further damage or loss of life would not be possible;
- c. The Office of Pipeline Safety Regulation Program would not have a basis for removing, revising, or adding pipeline safety regulations.
- d. The reports to the Congress could not be completed.

3. Describe whether, and to what extent, the collection of information involves the use of automated electronic. Mechanical or other forms of information technology.

Operators may use the latest information technology to reduce the information collection burden. There are no technical or legal obstacles to reducing the burden. The forms are available for download on the internet.

Operators may not submit the forms electronically at this time however, RSPA is developing the capability for electronic transmission of the forms in the near future.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose describe in 2.

RSPA is the only agency in government or industry that collects information on distribution pipeline failures which occur from the point-of-sale to a distribution company up to the customer's meter.

The U.S. Department of Interior (DOI) receives information on natural gas pipeline incidents. However, this collection of information only covers certain incidents occurring from the production well head to the point-of-sale of a transmission company either (1) for offshore or (2) on Federally owned land. No information is collected on natural gas distribution pipeline operators or other types of gas transmission and gathering operators. DOI also receives limited pipeline information from applications for right-of-way grants and temporary use permits. This information is not uniform and

does not contain the same information as the RSPA annual reports.

The U.S. Department of Energy (DOE) receives information on interstate natural gas transmission pipeline companies through several reporting requirements. Operators are required to report serious interruptions of service to any wholesale customer involving facilities operated under FERC certificate authorization. This requirement does not cover all incidents and does not require operators to submit information on fatalities, personal injuries, the cause of the incident or the extent of the damages. Operators are also required to submit information on facilities proposed to be constructed, acquired, abandoned, extended or improved. The reports to DOE are infrequently received and do not request the same information as the RSPA annual reports. Finally, operators having a system delivery capacity greater than 100,000 Mcf per day are required to file an annual report. This report does not require information on the type of pipe in the system (cathodically protected, unprotected, steel, plastic, etc.) or the number of leaks. DOE does not request any information from gas gathering or gas distribution pipeline companies.

No similar information is requested by government or industry on distribution pipeline failures which occur from the point-of-sale to a distribution company up to the customer's meter.

The information collection is extremely limited in scope and population of gas pipeline operators covered. The Department of Interior material is the only similar material and it does not cover all transportation or gathering gas pipelines.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

Operators of small gas systems, such as master meter systems and petroleum gas systems serving fewer than 100 customers from a single source, are exempt from the annual written reporting requirements. Master meter operators are exempt from the written incident reporting requirements.

6. Describe the consequence to Federal program or policy activities if the collection were conducted less frequently

as well as any technical or legal obstacles to reducing the burden.

The frequency of the collection of information is on an event basis for the telephonic notice of certain incidents required by § 191.5. This information could not be collected less frequently.

The written incident report, as required by §§ 191.9 and 191.15, is a follow up to the telephonic notice listed above. Only one written report is required for a given incident unless additional significant information is obtained after the initial written report is submitted. These written reports are necessary to complete the information on the incident, including the actual cause. This information is often not available at the time the telephonic report is made. Without the additional information, the pipeline safety regulatory policy would be severely limited in producing regulations which could help prevent future pipeline accidents. This information could not be collected less frequently.

The annual collection of information required by §§ 191.11, 191.13, and 191.17 is necessary to prepare the annual report to the Congress mandated by Section 16 of the Act. The information sent to Congress would be out of date if the collection were conducted less frequently.

7.Explain any special circumstances that would cause an information collected in a manner:
requiring respondents to report information to the agency more often than quarterly;
requiring respondents to prepare a written response in fewer than 30 days after receipt of it;
requiring respondents to submit more than an original and two copies of any document;
requiring respondents to retain records other than health, medical, government contract, grant-in aid, or tax records for more than three years; in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study;
requiring the use of a statistical classification that has not been reviewed and approved by OMB;
that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not

supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily implies sharing of data with other agencies for comparable confidential use; or requiring respondents to submit proprietary trade secret or other confidential information unless the agency can demonstrate that it has instituted procedures to protect confidentiality to the extent permitted by law.

The collection requirements are consistent with all guidelines except requiring respondents to prepare written response to a collection of information in fewer than 30 days after receipt of it. Sections 191.9, 191.13, and 191.15 require an operator submit an incident report as soon as practicable but not more than 30 days after detection of an incident. This collection of information is necessary within 30 days after detection to provide State and Federal pipeline inspection officials complete information on the incident. The reported information is reviewed and is used to investigate the problem and to assure appropriate remedial action is taken.

8. If applicable provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comment received in response to the notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format(if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register notice was published on August 2, 2000. A copy of that notice is attached to this statement. Approximately 10 comments were received. Many of the comments were editorial in nature. Some operators claimed that new requirements would significantly add to the collection burden. RSPA does not concur with this opinion. A detailed discussion of the comments is in the attached 30 day notice that is being published in the Federal Register.

9. Explain any decision to provide any payment or gift to respondents, other than remunerations of contractors or grantees.

Not applicable

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance on statute, regulation, or agency policy.

Incident reports, and the information developed in the course of the investigation of an incident, are treated confidentially under the provisions of the Freedom of Information Act until actions pursuant to the investigation are concluded.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanations given to persons from the information is requested, and any steps to be taken to obtain their consent.

These regulations do not involve questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information.

Estimate of the Annual Cost and Burden to Industry:

Cost to industry is estimated at \$25/hr (includes delivery and telephone charges).

a. Telephonic Reports

\$ 7,125 or 285 hours : Preparation and submission of
an average 570 telephonic
reports annually at an
estimated 30 min/report.

(570 reports) (.5 hr/report) = 285 hours
(\$25/hr) = \$7,125

b. Incident Reports (Form RSPA F 7100.1 and RSPA F 7100.2)

\$27,800 1,112 hours: Preparation and submission of an
average 200 distribution @ 4hours
and 90 transmission and gathering
incident reports annually @4
hrs/report.

(90 reports) (6 hr/report) = 540 hours --
(200 X 4 hr/report) = 800 hours = (1,340
hours) (\$25/hr) = \$33,500

c. Annual Reports (Form RSPA F 7100.1-1 and RSPA F 7100.2-1)

\$127,500 or 5100 hours : Preparation and submission of
annual reports at an estimated
2 hrs/report for distribution
and hours for transmission

(1200 report) (2 hr/report) = 2400 hours	x (\$25/hr) = \$60,000
<u>(900 reports (3 hours) = 2700 hours</u>	<u>X (\$25/hr) = \$67,500</u>
2100 reports	5100 hours
	\$127,500

The total hour burden and cost to industry is:

285 telephonic reports
1340 incident reports
5100 annual reports

6725 total hours and a total cost of \$168,125.

13. Provide an estimate of the annual cost burden to respondents
from the collection of information.

There are no additional costs beyond those in question 12.

14. Provide estimates of the annualized cost to the Federal Government and to respondents

Cost to the Federal Government is estimated at \$25/hour.

a. Telephonic Reports

\$100,000: Contract with National Response Center (NRC) to handle the telephonic reporting of incidents.
\$50,000: Contract with Volpe National Transportation Systems Center to input telephonic notices received from NRC into computer information system and to maintain computer information system.
\$ 3,563 Review by RSPA of each telephonic report (Average of 570 reports annually at an estimated 15 min/report).
(570 reports) (.25 hr/report) (\$25/hr) = \$3,563

\$153,563 annually

b. Incident Reports (Form RSPA F 7100.1 and RSPA F 7100.2)

\$30,000: Contract with Marosco Newton Group, Inc. to input written incident reports received from operators into computer information system and to maintain computer information system.
\$15,053: Review by RSPA of each incident report (Average of 143 distribution reports and 80 transmission and gathering reports received annually; assume 5% at 16 hrs/report and 95% at 2 hrs/report).
(.05) (16 hrs/report) (223 reports) (\$25/hr) +
(.95) (2 hrs/report) (223 reports) (\$25/hr)
= \$15,053

\$ 500: Printing and mailing costs.

\$45,553, annually

c. Annual Reports (Forms RSPA F 7100.1-1 and RSPA F 7100.2-1)

\$30,000: Contract with Marosco Newton Group, to input annual reports received from operators into computer information system and to maintain computer information system.

\$16,875: Review by RSPA of each annual report submitted (2700 distribution, transmission and gathering reports received in 1994; assume 15 min/report). (2700 report) (.25 hr/report) (\$25/hr)=\$16,875

\$5,000: Printing and mailing costs.

\$51,875 annually

15. Explain the reasons for any program changes or adjustment reported in Items 13 or 14 of OMB Form 83-I.

Some adjustments were made including dropping the category, response to government inquiries and visits. Further the gas transmission annual and incident report has been modified to include more detailed information as requested by the National Transportation Safety Board, (NTSB).

16. For collections of information whose results will, outline plans for tabulation and publication. Address any complex analytical techniques that will be used.

Not applicable.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons the display would be inappropriate.

Not applicable.

18. Explain each exception to the certification statement identified in Item 19, Certification for Paperwork Reduction Act submission, of OMB Form 83-I.

Not applicable.